



2020

# ANNUAL REPORT

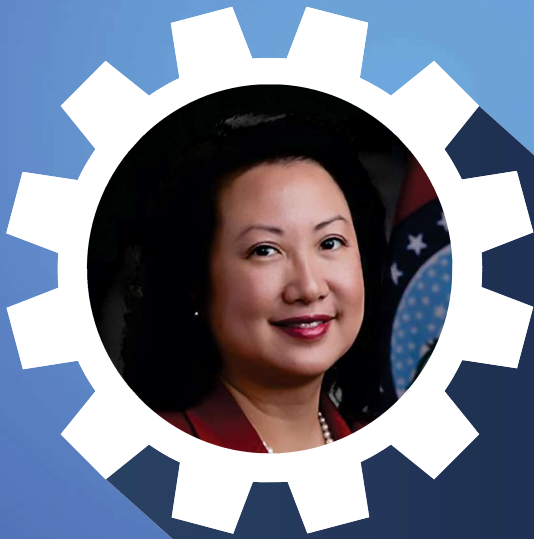
MISSOURI DEPARTMENT OF LABOR & INDUSTRIAL RELATIONS





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# MESSAGE FROM THE DIRECTOR

**ANNA HUI,**  
DEPARTMENT DIRECTOR

Even in the midst of historic and unforeseen challenges posed by the COVID-19 pandemic, the Missouri Department of Labor and Industrial Relations (DOLIR) continues its commitment to economic vitality, safety, and fairness for all Missouri's businesses and workers. Our vision underscores our strategic focus on growth, safety, and opportunity. The Department continues to look for areas of improvement and innovative programs and services to better meet the public's needs, particularly in these unprecedented times.

During 2019 DOLIR continued its efforts to better serve citizens and make government more efficient through a focus on its strategic initiatives.

The Division of Workers' Compensation (DWC) continued its computer modernization effort to deliver better service to Missouri's injured workers. Investing the time and effort to engage all levels of staff as well as external stakeholders through process improvement sessions, surveys, and working groups, the DWC made significant progress in framing the functional needs that the future modernized system will provide while also taking into account the assistance and support users will need to adapt to the new service delivery methods and resources. These important steps will offer a clearer path and transition to the future state.

To make Missouri state government more responsive and accessible to its citizens, the State Board of Mediation (SBM) began accepting petitions of Certification for Representation, Decertification, and amended petitions online, eliminating the need to print and fill out paper petitions or amendments.

Such forms now auto-populate and are submitted directly to SBM along with an electronic signature. Applicants receive an automatic notification with a case number and copy of the completed petition, saving time for both the applicant and SBM staff.

DOLIR was also able to decommission a storage mainframe saving hundreds of thousands of dollars. The mainframe, a housing unit for DOLIR's electronic files and software applications decreased in cost from \$25,500 a month in 2016 to \$350 a month in 2019. Modernization efforts made by DES and DOLIR Administration allowed for many of the functions and reports once run on the mainframe to be shut-off completely. These efforts lowered the monthly cost of running the mainframe to \$19,000 in 2017. Deleting unused files and removing back-ups in 2018 significantly decreased the cost by nearly \$16,000 a month. After the project, the mainframe cost approximately \$4,200 a year. This is a cost savings of almost \$302,000 annually.



The Division of Employment Security (DES) also launched a mobile-friendly version of UInteract making it more accessible for businesses and unemployed workers. With over 95% of Missouri's unemployed taking advantage of UInteract online services, the division was able to make higher quality determinations and more timely benefit payments.

Because of DES's focus on providing better service to businesses and workers, in 2020 the U.S. Department of Labor recognized Missouri with two national awards for helping citizens who apply for UI benefits receive prompt, accurate determinations of eligibility and for awarding benefit payments for those who qualify in a timely manner. Missouri was also recognized for excellence in program integrity, a measure of the program's accuracy and ability to prevent improper payments. The awards criteria reflect the breadth of the UI system and the performance areas most critical to UI system success.

The year 2020 began with near full employment in Missouri with a booming economy. Little did any of us know that the preparations made by the divisions in 2019 would be instrumental in steering the Department through the COVID-19 tumult that began as the pandemic hit Missouri in March. Seemingly overnight Missouri went from a booming economy to schools and businesses shuttering due to the pandemic. The business landscape changed in March for not only private industry and its workers but the state and its workforce as well.

In just one week in March, as the pandemic hit Missouri, DES processed over 42,000 initial unemployment claims, representing nearly a quarter of all initial claims it had processed in the previous year. Missouri citizens needed immediate assistance but DOLIR soon realized that essential services could not be delivered if its workforce were sidelined with COVID-19. To safeguard its employees and to be able to continue to deliver essential services, DOLIR quickly mobilized its workforce to work remotely while simultaneously continuing to deliver services to the hundreds of thousands in need.

The DES' modernized online unemployment insurance system was tested beyond what anyone could have envisioned when UInteract was launched in late 2016. While Congress passed provisions of the CARES Act to provide aid to the unemployed across the country, it tasked state unemployment insurance programs like Missouri's to implement the three new federal programs not previously part of the unemployment insurance system. UInteract's self-service capabilities were of immeasurable assistance to both the unemployed and the agency staff during the historic surge in unemployment claims. While no one could have adequately prepared for the pandemic, the modernized self-service system, cross-trained staff, and the division's steadfast focus on payment timeliness and accuracy, provided systems to continue to deliver during a time when many states with legacy computer systems and lacking Missouri's focus on system integrity faltered.

With a brigade of hardworking employees, DES was one of the first state agencies in the nation to not only stand up each of the new federal programs but was also one of the first states to be able to pay out benefits to the unemployed, including benefits to those previously not eligible for unemployment benefits such as many self-employed individuals.

As we look at the value of a modernized system during this time, and we plan for modernizing the workers' compensation system, our staff and their dedication to public service are what made Team DOLIR effective during the pandemic. DOLIR's motto is "Working Better Together." During times of crisis, teams either work together or pull apart. Team DOLIR has proven that our strength comes from working together, not only to physically tackle unprecedented workloads but to be innovative and customer-focused in our approaches. We reflect on not only the achievements during this time but also the speed at which the team was able to do in a matter of weeks what would have previously taken years to accomplish. With lessons learned during the pandemic, we look to building upon our customer-focused efforts in 2021 as we "Work Better Together" not only within the Department but with Missouri's citizens and businesses.

We invite you to join us in this effort and welcome your email suggestions and proposed solutions at [BetterTogether@labor.mo.gov](mailto:BetterTogether@labor.mo.gov).

# VISION STATEMENT:

To promote economic vitality, safety, and fairness for Missouri's businesses and workers

## The Department is comprised of:

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### **Labor and Industrial Relations Commission (LIRC)**

The LIRC provides oversight of the Department of Labor and Industrial Relations. It is composed of three commissioners appointed by the Governor, with the advice and consent of the Senate. The LIRC hears appeals of claims on Workers' Compensation, Unemployment Insurance, and Tort Victims' Compensation as well as objections to Prevailing Wage Orders.

### **Division of Employment Security (DES)**

The DES administers Missouri's Unemployment Insurance program, a joint state-federal program funded by the Unemployment Tax paid by employers. These funds are held in the Missouri Unemployment Compensation Trust Fund and payment of benefits for regular unemployment are made from this fund. There are also special unemployment programs available to qualified individuals.

### **Division of Workers' Compensation (DWC)**

The DWC provides oversight of programs that provide services to workers who have been injured or exposed to occupational disease in the course and scope of their employment. Administrative Law Judges approve settlements or issue awards after hearings related to compensation benefits owed to injured workers. The DWC also administers the Line of Duty Compensation Fund that pays benefits to the survivors of a deceased public safety officer who is killed in the line of duty; the Tort Victims Compensation Fund that makes payments to uncompensated tort victims, and oversees the Second Injury Fund as per the statutory provisions.

## **Division of Labor Standards (DLS)**

The DLS is comprised of five sections. The Research and Analysis Section collects and analyzes data relating to occupational and work-related injuries and fatalities in cooperation with the U.S. Department of Labor, Bureau of Labor Statistics. The Wage and Hour Section enforces wage and hour laws and calculates annual prevailing wage/average hourly wage rates. Free safety consultation services for Missouri employers designed to help them stay in compliance with federal regulations are provided by the On-Site Safety and Health Consultation Program. Mine and Cave Safety staff inspect mines and show caves operating in Missouri and train miners prior to their beginning employment and annually thereafter to ensure safe and healthy work habits. The Mine and Cave Safety staff also assist with rescue and recovery efforts should there be a mining accident in Missouri. The Workers' Safety Program, funded by the Workers' Compensation Fund, certifies the safety programs of workers' compensation insurance carriers, certifies safety consultants and rehabilitation facilities for Second Injury Fund Rehab benefits, and assists employers in developing programs to improve workplace safety and eliminate hazards.

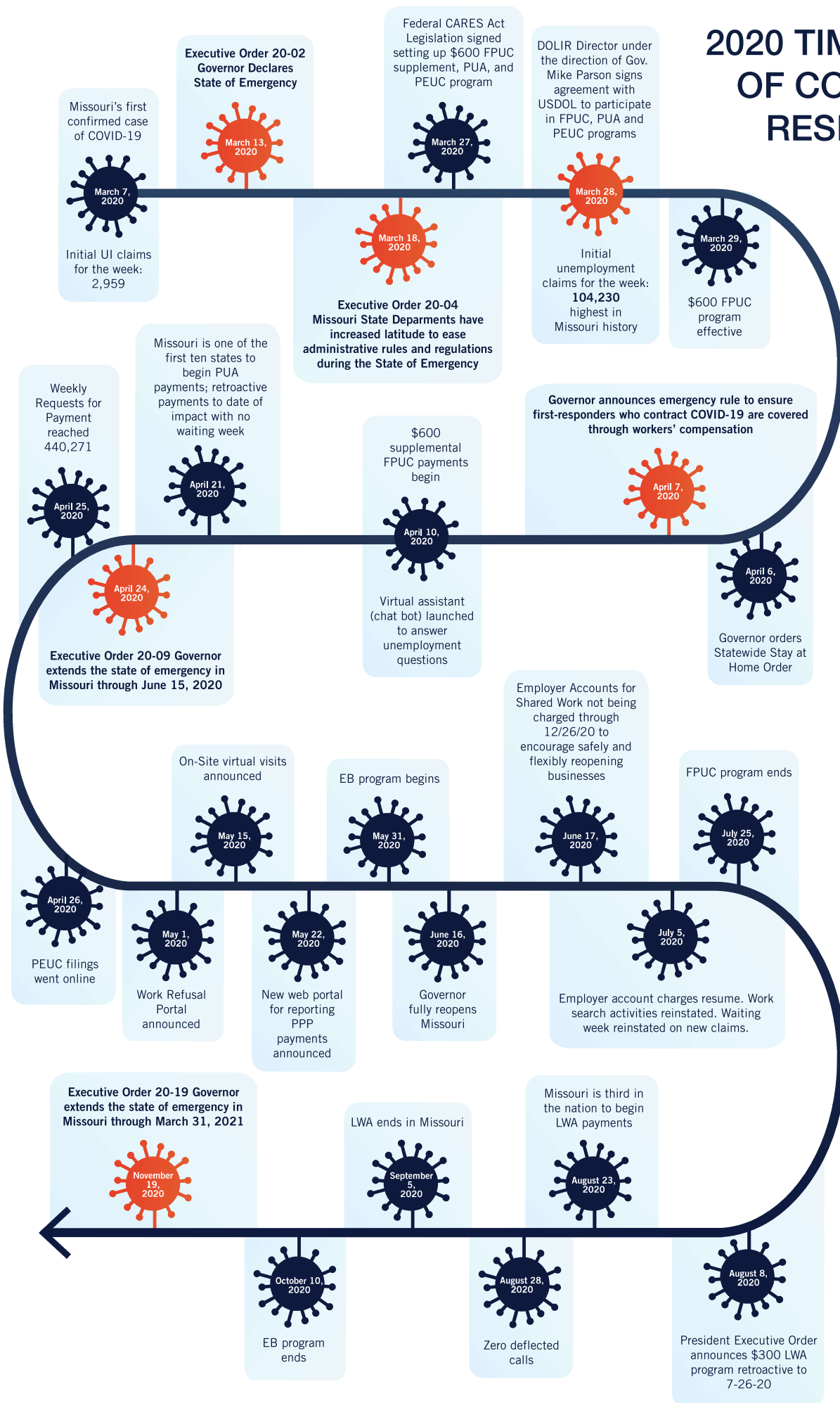
## **State Board of Mediation (SBM)**

The SBM is a quasi-judicial board that administers the Public Sector Labor Law (RSMo. Chapter 105.500 - 105.598). Duties include the definition of appropriate bargaining units of employees, certification and recertification of bargaining units, determination of majority representation status by secret ballot elections, and oversight of annual financial reporting by public employee unions and officials. A temporary injunction went into effect March 7, 2019, blocking the SBM from implementing any of the changes from HB 1413 (2018).

## **Missouri Commission on Human Rights (MCHR)**

The MCHR works to prevent and eliminate discrimination; investigates complaints of discrimination under the Missouri Human Rights Act, and facilitates fair and timely resolutions of discrimination claims.

# 2020 TIMELINE OF COVID-19 RESPONSE



# SPECIAL REPORT ON COVID ACTIONS

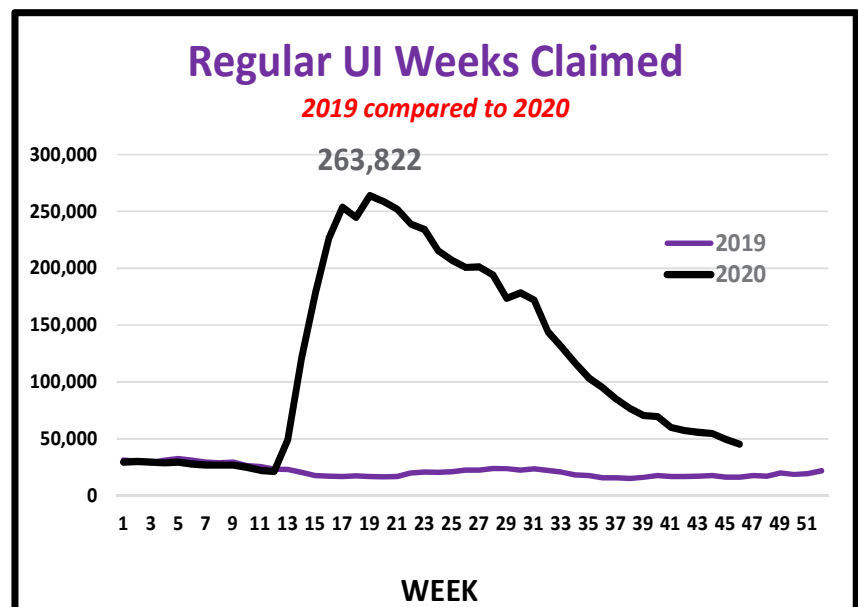
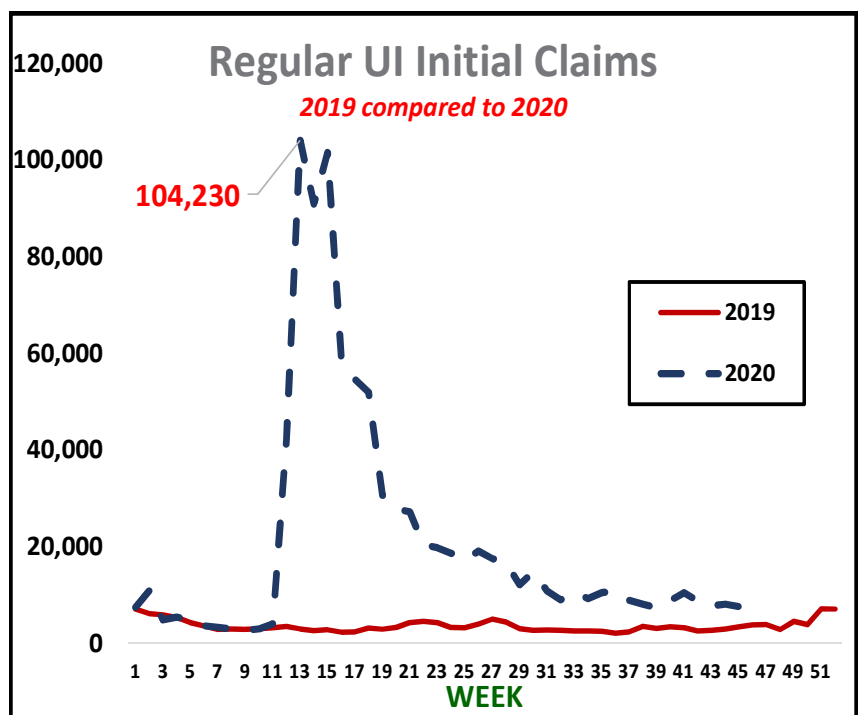
## LIRC

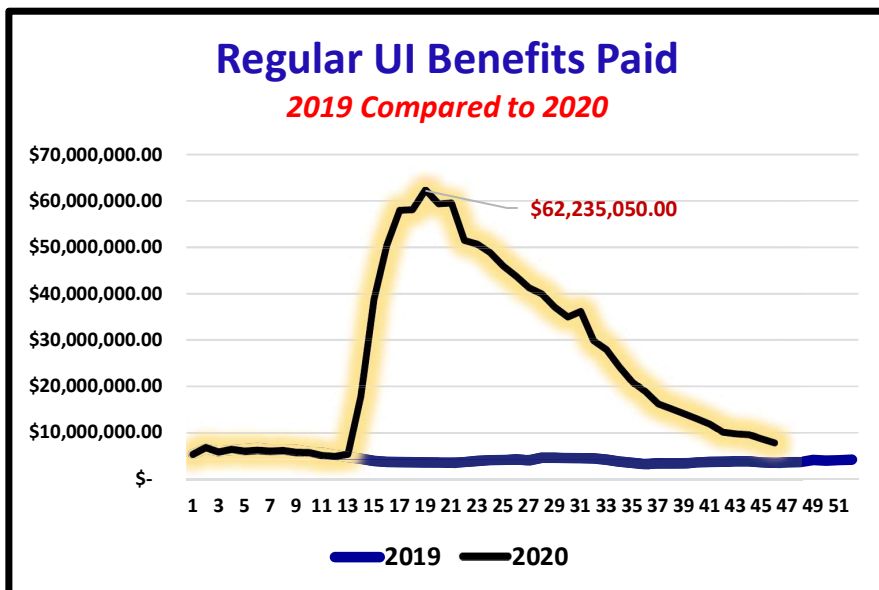
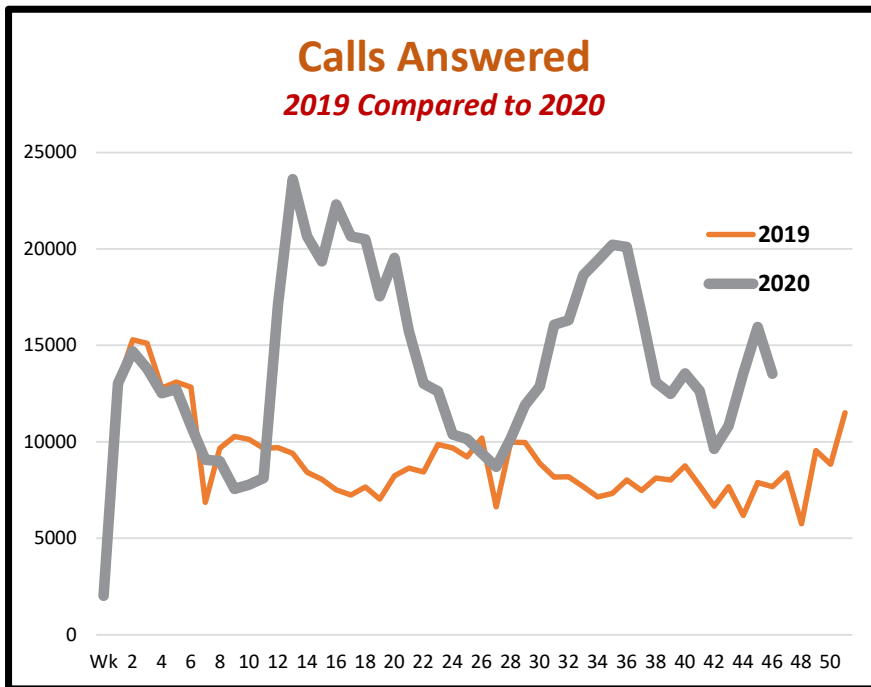
In response to the COVID-19 pandemic and the immediate need to work remotely, the LIRC staff revised procedures to allow for electronic review of cases and transitioned all employees to have the ability to work remotely as needed. With these revised procedures, the LIRC continues to process the caseload in the same timely manner as working in the office. In addition, recognizing that the parties who practice before the LIRC are also working remotely, the LIRC expanded the options for electronic filing of documents, including establishing a Box account for attorneys to file electronically.

## DES

The DES experienced an unprecedented number of claims as a result of the COVID-19 pandemic. For the week ending March 21, 2020, a total of 42,207 individual initial claims were processed, more than ten times the number of initial claims processed during the previous week. Comparatively, this represents nearly a quarter of the total number of individual initial claims processed in all of 2019.

The Coronavirus Aid, Relief, and Economic Security (CARES) Act was signed into law on Friday, March 27, 2020, establishing three new federal benefits; Federal Pandemic Unemployment Compensation (FPUC), Pandemic Unemployment Assistance (PUA) and Pandemic Emergency Unemployment Compensation (PEUC). On March 28, 2020, DOLIR Director Anna Hui, at the direction of Governor Parson, executed the required agreement with the US Department of Labor





(USDOL) permitting Missouri to begin administration of the federal programs.

During the first week of April, the DES implemented the FPUC program. The FPUC program provided an additional \$600 federal supplement for each qualifying week to those that were eligible for at least one dollar of unemployment compensation benefits during the week. In accordance with federal guidance, FPUC payments were available for all weekly claims filed on or after March 29, 2020 through July 25, 2020. Missouri began distribution of the FPUC \$600 supplement on April 10, 2020.

The DES also successfully implemented the PUA program in April, 2020. PUA provides a maximum of 39 weeks of benefits to the self-employed, gig workers, independent contractors and others not eligible for regular unemployment compensation, provided the individual is unemployed or underemployed as a direct result of the pandemic and one or more of several qualifying reasons established in federal guidance. Eligible recipients receive a weekly benefit payment between \$133 and \$320. Missouri's first PUA payments were issued on April 21, 2020. PUA recipients

with qualifying weeks from March 29, 2020 through July 25, 2020, also received the \$600 FPUC federal supplement.

In May 2020, Missouri implemented PEUC. The PEUC program provides up to an additional 13 weeks of unemployment to eligible individuals who have exhausted their regular unemployment benefits. The PEUC weekly benefit amount, per federal guidance, is the same as the calculated weekly benefit for the individual's regular unemployment claim. Missouri issued its first PEUC payments to eligible individuals on May 4, 2020.

Additionally, the week of May 31, 2020, DES implemented the Extended Benefits (EB) program. The EB program provides up to an additional 10 weeks of benefits to individuals who have exhausted both their regular unemployment benefits and all PEUC benefits.

To address the increase in workloads resulting from the pandemic and the administration of the new federal programs, the DES used a multi-faceted approach of staff augmentation to increase capacity and implementation/promotion of self-service technologies to reduce workloads requiring staff assistance.

The DES leveraged multiple sources to address staffing needs to handle the dramatic increase in



unemployment claims. Staff throughout the Division, other agencies within the Department, and across state government along with retirees, part-time temporary employees, and others hired directly and through staffing agencies, underwent accelerated training to assist in multiple areas of need. Additionally, DES entered into a mutually beneficial engagement with the Missouri Higher Education Loan Authority (MOHELA) to draw upon experienced call-center staffing available as a result of the temporary suspension

on student loan repayment. The cumulative increased capacity, by more than 300 additional workers, as a result of these efforts has allowed the DES to process claims more quickly, positively impacting the administration of unemployment benefits to eligible recipients and ultimately putting billions of dollars back into the Missouri economy.

The DES also heavily promoted and implemented self-service channels to address citizen needs and workload demands. A Frequently Asked Questions (FAQ) page and a virtual assistant (ChatBot) were created to help people quickly find answers to their questions regarding unemployment insurance and the new federal programs. Between March, 2020 and June 30, 2020, the DES virtual assistant handled

SFY 2020 CARES Act Unemployment Benefit Programs	
FPUC	
Number of Weeks Paid .....	3,571,458
Amount of Benefits Paid.....	\$2,014,988,416.17
PEUC	
Initial Claims Filed.....	13,201
Weekly Requests for Payment.....	78,179
Amount of Benefits Paid.....	\$20,606,142
PUA	
Initial Claims Filed.....	107,211
Weekly Requests for Payment.....	922,304
Amount of Benefits Paid.....	\$121,093,754

289,625 transactions. Individuals were encouraged to use UInteract for claim filing and maintenance. The mass claim filing process for employers was expanded, promoted and the online process was made more user-friendly. In an effort to protect the integrity of the programs administered by DES, easily accessible self-service portals were created for employers to provide information regarding workers who had returned to work, refused to return to work or who were receiving Paycheck Protection Program (PPP) payments, for DES to determine and take appropriate actions.

## DWC

COVID-19 created great challenges over the last half of the Fiscal Year 2020 and into Fiscal Year 2021. However, with those great challenges come great opportunities. The DWC almost immediately acquired necessary equipment to transition from a primarily on-site workforce to a majority distributed workforce working remotely and continuing to provide services with only minor interruptions. Throughout the pandemic DWC staff have continuously found ways to work more efficiently using currently available software and technologies. As a result, between March 1st and June 30th of 2020, the DWC processed 37,476 First Reports of Injury, including First Reports of Injury for 1,595 COVID-19 injuries and fatalities, and processed 4,564 Claims for Compensation, including Claims for Compensation for 50 COVID-19 injuries and fatalities. From March 1st to October 27th, 2020 the DWC's Administrative Law Judges issued 167 Awards and approved 11,499 Stipulation for Compromise Settlements totaling over \$244,000,000.00 in benefits to be paid to injured employees during the pandemic economic downturn.

## DLS

During the COVID-19 pandemic, the On-Site Safety and Health Consultation Program began conducting virtual safety visits. Through the virtual visits, Missouri employers could obtain timely safety and health assistance on a variety of different topics including both CDC and OSHA guidelines to help businesses both reopen and remain safe for both their workers and their customers.

# FINANCIAL APPROPRIATIONS



The operating budget for the Department is appropriated by the General Assembly and approved by the Governor in the annual budget process. These appropriations fund personnel services (payroll), equipment and other expenses necessary to carry out the duties of the Department. It does not include any benefit payments.

<b>\$68,617,524*</b>	<b>Division of Employment Security*</b>
<b>\$9,866,765**</b>	<b>Division of Workers' Compensation**</b>
<b>\$5,122,532</b>	<b>Director and Staff</b>
<b>\$2,513,406</b>	<b>Division of Labor Standards</b>
<b>\$1,448,131</b>	<b>Missouri Commission on Human Rights</b>
<b>\$1,046,807</b>	<b>Labor and Industrial Relations Commission</b>
<b>\$207,323</b>	<b>State Board of Mediation</b>
<hr/>	
<b>\$88,822,488</b>	<b>Total</b>

*\* This amount excludes tax interceptions and benefit payments. This amount increased due to pandemic programs.*

*\*\*This amount excludes Second Injury and tort victims' claim payments and Second Injury Fund refunds.*



# LEGISLATIVE SUMMARY

## Coronavirus Aid, Relief, and Economic Security Act

The Coronavirus Aid, Relief, and Economic Security (CARES) Act was passed by Congress with overwhelming, bipartisan support and signed into law by President Trump on March 27th, 2020. The next day DOLIR Director Anna Hui, at Governor Parson's direction, signed an agreement with the U.S. Department of Labor (USDOL) to administer the programs under the CARES Act. This package included more than \$2 trillion in economic relief meant to protect the American people from the public health and economic impact of COVID-19. The CARES Act also added several programs that extend the length, eligibility, and benefit amount for Unemployment Insurance (UI).

- **Pandemic Unemployment Assistance (PUA)** – The Pandemic Unemployment Assistance (PUA) program is separate from the regular unemployment insurance program, which continues to operate. PUA may cover individuals who are not eligible for regular and extended benefits, or Pandemic Emergency Unemployment Compensation (PEUC) and may include independent contractors, self-employed, agricultural workers, etc.
- **Federal Pandemic Unemployment Compensation (FPUC)** – Under the Federal Pandemic Unemployment Compensation (FPUC) program, an additional \$600 per week was made available for up to four months, through the week ending July 25, 2020. To be eligible for the weekly \$600 FPUC, workers must have been eligible for a regular UI, PUA or Shared Work benefit payment during the specified weeks.
- **Pandemic Emergency Unemployment Compensation (PEUC)** – The PEUC program provides up to 13 weeks of additional unemployment benefits to those who have exhausted their regular unemployment benefits.
- **Short-Time Compensation (Shared Work)** – The STC provided full federal reimbursement for a state's shared work costs.
- **Emergency Unemployment Relief for Governmental Entities and Nonprofit Organizations** – This provided eligible employers a 50% reimbursement for their UI costs.
- **Temporary Full Federal Funding of the First Week of Compensable Regular Unemployment for States with no Waiting Week** – This reimbursed states for the costs of paying for waiting weeks when waiting weeks were waived, whether permanently or temporarily due to COVID-19.

The DES quickly implemented these new programs within a matter days or weeks of receiving the USDOL guidance for these programs. These new federal programs provided over 535,000 unemployed Missourians with more than \$4.8 billion in unemployment benefits.

Lost Wage Assistance: Not in FY 2019

Get updates on the Missouri Legislature at [mo.gov/government](https://mo.gov/government)

# LABOR AND INDUSTRIAL RELATIONS COMMISSION



**Robert W. Cornejo,**  
**Chair**  
Public Member

**Reid K. Forrester,**  
**Commissioner**  
Employer Member

**Shalonn “Kiki” Curls,**  
**Commissioner**  
Employee Member

The Labor and Industrial Relations Commission (LIRC) was established by Article IV, Section 49 of the Missouri Constitution. The LIRC’s primary constitutional duty is to oversee the Department of Labor and Industrial Relations.

The Labor and Industrial Relations Commission (LIRC) was established by Article IV, Section 49 of the Missouri Constitution with the primary constitutional duty to oversee the Department of Labor and Industrial Relations. In 1974, the LIRC delegated to the Director of the Department, who is appointed by the Governor and confirmed by the Senate, in his or her capacity as the chief administrative officer over all units of the Department except the Commission itself, the administrative authority required to effectively carry out the day-to-day operations, functions, and duties of the Department and its divisions as established by law.

The LIRC is composed of three commissioners and operates under the authority of Chapter 286, RSMo. Each commissioner is appointed to a staggered six year term by the Governor with the advice and consent of the Senate. One member of the LIRC, who must be a licensed Missouri attorney, represents the public. The other two members represent employers and employees respectively. The Governor designates one member as the chair.

The LIRC hears appeals from administrative decisions in workers’ compensation, unemployment compensation, and tort victims’ compensation cases. The LIRC also hears and decides prevailing wage disputes. In addition, the LIRC approves or disapproves all rules or regulations proposed by the divisions within the Department.

## Employment Security

1,667	Employee Benefit Appeals
0	Employer Contribution Appeals
1,676	Benefit Decisions/Orders Issued
7	Contribution Decisions/Orders Issued
245	Appeals to the Missouri Court of Appeals
50	Benefit/Contribution Cases Pending as of June 30, 2019

## Workers' Compensation/Tort Victims/Line of Duty

149	Applications for Review of Award by Administrative Law Judge
7	Motions for Modification of Award
48	Applications for Approval of Settlement
93	Awards Issued
162	Orders Issued
32	Oral Arguments Heard
67	Appeals to the Missouri Court of Appeals
116	Cases Pending as of June 30, 2019

## Prevailing Wage

10	Objections Filed
0	Hearings Held
11	Decisions Issued
1	Appeals to Court



# DIVISION OF EMPLOYMENT SECURITY

**SPENCER CLARK,**  
ACTING DIVISION DIRECTOR

The Division of Employment Security (DES) is responsible for administering the state's Unemployment Insurance (UI) program. In Missouri, it is a joint state-federal program funded solely through tax contributions paid by employers, so no deductions are made from employees' paychecks for this insurance. All tax contributions are deposited into the Missouri Unemployment Compensation Fund (UTF). Payments of benefits under the regular UI program are made from the UTF to eligible claimants.

The UI system in the United States was created in 1935 to stabilize the economy and alleviate personal hardship stemming from involuntary job loss. Benefits paid to eligible recipients are intended to provide temporary financial assistance to people who are able and willing to work and who are unemployed through no fault of their own. These benefits help maintain the economy of the state during periods of economic downturn by helping preserve the level of consumer purchasing power.

The DES processes weekly requests for payment and pays benefits to individuals in covered employment under state and federal unemployment programs. Missouri's unemployment program is normally comprised of regular UI, Unemployment Compensation for Ex-Service members (UCX), Unemployment Compensation for Federal Employees (UCFE), and Trade Readjustment Allowances. When authorized, the DES is also responsible for administering federal-state Extended Benefits, federal Emergency Unemployment Compensation, and Disaster Unemployment Assistance.

UInteract, the Division's complete unemployment insurance online system is mobile friendly. Being mobile-friendly with 24/7 access, UInteract is aligned with the lifestyle of today's consumer, giving them the convenience of conducting business after hours and on the go. These self-service functions allow unemployed workers to not only avoid on-hold wait times but to file initial unemployment claims and weekly requests for payments, get answers to questions about their claim, and access current job listings specific to their skill set and experience, helping them to find work sooner. Claimants who do not have access to the internet are still able to visit their local Job Center to file claims online while taking advantage of job services and training available there, or they can call our dedicated support lines to receive personal assistance over the phone. Greater self-service allows the DES staff to focus on eligibility determinations, which improves the speed in which eligible claimants receive their benefits and helps further prevent improper payments to ineligible workers.

**Individuals that Filed a UI Claim**

**828,289**

**Weekly Requests for Payment Processed**

**3,857,106**

**Amount of UI Benefits Paid**

**\$852,389,839**

**Employers Liable for Contributions**

**170,452**

**Employer Contributions Collected**

**\$328,330,594**

## **UI Appeals Section**

Pursuant to federal and Missouri law, the DES must provide an opportunity for a fair hearing before an impartial tribunal to all parties affected by a deputy's determination. The DES UI Appeals Section provides due process hearings for all appeals arising under the basic programs of UI benefit entitlement and tax liability, as well as special unemployment programs, when authorized.

Once an appeal is filed, an impartial Appeals Referee conducts an evidentiary hearing and issues a written decision regarding the appeal. The decision of the Appeals Referee is subject to review by the Labor and Industrial Relations Commission upon timely application by the aggrieved party, and ultimately the appellate courts if the aggrieved party so chooses.

**41,041  
Appeals filed**

**20,024 Appeals  
disposed by  
decision or order**

## UI Benefits Section

The DES works to provide prompt and accurate payments of unemployment benefits to eligible claimants. A person must have worked in employment covered under the Missouri Employment Security Law and earned enough qualifying wages in order to establish a claim for unemployment benefits. The formula to determine the benefit amount uses wages earned by the individual worker, which means not all workers are eligible for 20 weeks of benefits.

**20 weeks**

Maximum number  
of weeks eligible for  
benefits

**\$320**

Maximum weekly  
benefit amount paid

**\$246.51**

Average weekly benefit  
amount paid

The DES uses an identity verification solution for all unemployment claims filed. The program is designed to ensure that the information provided during the claim intake process is correct and belongs to the person filing a claim for unemployment benefits prior to UI benefits being paid. All individuals are evaluated by fraud detection software and assigned fraud risk scores. Individuals who are determined to be high risk for identity fraud are presented with a series of questions that only the user should be able to answer. If individuals do not provide the correct answers, they are mailed a letter directing them to report to a Job Center with proof of their identity.

**In SFY 2020, 2,144 people failed the identity proofing program and subsequently did not report to the Job Center as required to verify their identity.**

The DES continues to partner with the Missouri Department of Higher Education and Workforce Development – Office of Workforce Development to offer extensive re-employment services for jobseekers. The collaborative efforts maintain an environment within both agencies that allows data sharing which sustains a large number of programs aimed at improving the ability of unemployed workers to find new jobs or seek further education to enhance opportunities for re-employment. An example of this is implementation of the job matching system, where an unemployed worker is provided with available job openings matching their skills and prior work history when filing an unemployment claim.

In addition, the DES and the Office of Workforce Development are jointly responsible for the operation of Missouri's Reemployment Services and Eligibility Assessment (RESEA) Program. This program targets claimants who are most likely to exhaust their UI benefits and recipients of unemployment compensation for ex-service members (UCX) and requires them to report to their local Missouri Job Centers to receive specialized reemployment services and a UI eligibility assessment. In SFY 2020, 9,706 job seekers received services through the RESEA program.

**SHAREDWORK**

An alternative to layoffs for  
employers faced with a reduction  
in available work

**708 Employers participated**

**104,015 Employee layoffs avoided**

**\$13,990,182 Paid in Shared Work benefits**



## UI Tax Section

The UI Tax Section assists businesses in meeting their obligations under the UI program for filing required quarterly reports and payment of UI tax. Liable employers are assigned a UI tax rate as defined within the law.

**Employers paid \$328,330,594  
in UI taxes that  
were credited to the  
Unemployment Trust Fund**

**Provided UI coverage for  
3,309,247 employees**

Generally, an employer's tax rate is determined by the relationship between chargeable benefits paid out, UI taxes paid in, and an employer's average annual taxable payroll.

**MISSOURI IS  
1 OF 17 STATES  
THAT ALLOW A MINIMUM  
UI TAX  
RATE OF 0%**

**170,452 Employers  
were assisted in  
establishment  
of liability and  
maintenance of their  
employer accounts  
and records.**

**21,827 Employers not  
previously liable for UI  
tax, became liable.**

The UI Tax Section monitors and improves compliance among businesses to ensure equity and a level playing field. Businesses that don't properly report and pay UI taxes for their workers gain an unfair advantage. It also creates barriers for eligible workers to access UI benefits in a time of need.

**6,511 Investigations conducted**

**2,908 Workers identified  
as improperly classified**

## UI Integrity Section

As part of an ongoing effort to detect and reduce improper UI benefit payments, the DES conducts cross-matches to compare relevant databases to claimants who file for UI benefits. Claimants who have returned to work and continue to complete weekly requests for payment are one of the leading causes of improper payments. One of the most effective tools for early detection of improper payments is cross-matching new hire data reported by employers.



The DES utilizes a variety of cross-matches to prevent and detect fraud and improper payments of the UI program, including the quarterly cross-match with wages reported by employers.

### **Quarterly wage cross matches detected \$2,549,050 in improperly paid benefits.**

Collection of overpaid benefits is a high priority. Methods used to collect the debt for overpaid benefits include intercepting state and federal income tax refunds and state lottery winnings, offsetting future payment of unemployment benefits, voluntary credit card payments, cash payments, and garnishment of wages.

#### **The DES recovered:**

**\$18.1 million of improperly paid benefits**

**and more than \$2.6 million in fraud penalties**

**The most egregious overpayments of benefits due to fraud are investigated and referred for criminal prosecution.**

The DES is an active member of a centralized, multi-state data analysis project to prevent UI fraud and address identity theft. The Suspicious Actor Repository (SAR) allows Missouri to cross-match initial, renewed and weekly UI claims against a database of information associated with potentially fraudulent claims or overpayments. The SAR project offers several benefits to Missouri including leveraging information collected by other state workforce agencies, a focus on identifying and addressing identity theft, an expanded visibility into potential multi-state fraud activity and automated flagging of data for further investigation.



The DES is responsible for the operation of two federally mandated programs, Benefit Accuracy Measurement (BAM) and Tax Performance System (TPS). The BAM program audits paid and denied unemployment claims. The TPS program audits the operation of the DES UI tax program.

**698 Benefit claims audited**

**908 Tax cases audited**

Other functions and responsibilities of the UI Integrity Section include producing and providing statistical information, raw data and financial information to the Department's executive staff, the U.S. Department of Labor (USDOL), members of the Missouri General Assembly and all other interested stakeholders. The Integrity Section also prepares and submits USDOL required reports, UTF projections, budget oversight, and fiscal notes; calculates and monitors the DES performance measures; writes and monitors grants; assists in the implementation of statutory changes; and ensures Missouri's UI system complies with federal laws and policies.

## Employment and Earnings

Cal. Year	Covered Employers	Covered Employees <sup>1</sup>	State Revenues <sup>1,2</sup>	Wages Paid in Covered Employment <sup>1</sup>		Average Tax Rate-Percent of		Taxable Wage Base	Annual Wage
				Total	Taxable	Total	Taxable		
2015	150,049	2.7M	\$605.9M	\$117B	\$28.6B	0.6	2.0	\$13,000	\$45,130
2016	153,948	2.7M	\$570.9M	\$121.7B	\$29.5B	0.57	1.88	\$13,000	\$45,711
2017	161,917	2.7M	\$434.4M	\$126.9B	\$30.5B	0.43	1.44	\$13,000	\$46,931
2018	166,204	2.7M	\$376.4M	\$133.2B	\$29.9B	0.33	1.17	\$12,500	\$48,615
2019	167,773	2.7M	\$351.7M	\$132.2B	\$29.4B	0.30	1.13	\$12,000	\$50,114

1- These are abbreviated figures.

2 - As the reserves in Missouri's UI Trust Fund continue to grow, statutory thresholds are exceeded that activate reductions in the amount of UI Revenue (taxes) paid by businesses.

## UI Claims and Benefits

Cal. Year	First Payments	Weeks Compensated	Benefits Paid <sup>1</sup>	Avg. Weekly Benefit Amt.	Average Duration	Exhaustion Rate	Trust Fund Balance <sup>1,2</sup>	Outstanding Fed. Loans <sup>1</sup>
2015	103,654	1,362,049	\$324.4M	\$247.30	13.1	35.5	\$377.5M	\$0
2016	95,704	1,148,289	\$279.8M	\$253.45	12.0	39.5	\$663.9M	\$0
2017	92,635	1,117,855	\$283.8M	\$260.58	12.1	32.6	\$826.5M	\$0
2018	83,884	1,027,699	\$265.1M	\$264.96	12.3	31.4	\$942.9M	\$0
2019	70,638	909,564	235.8M	\$266.00	12.9	32.6	\$1.07B	\$0

1 - These are abbreviated figures.

2 - As the reserves in Missouri's UI Trust Fund continue to grow, statutory thresholds are exceeded that activate reductions in the amount of UI Revenue (taxes) paid by businesses.

## Unemployment Compensation Fund

<b>Balance on Hand - July 1, 2019</b>	<b>\$1,045,912,092.17</b>
---------------------------------------	---------------------------

### Deposit

Net UI Contributions	\$328,344,236.40
Penalty/Interest	\$4,434,170.61
U.S. Treasury Interest Credits	\$24,524,649.43
Title IX or Special Legislation/Employer Relief	\$1,787,200.00
Title IX or Special Legislation/Emergency Admin Grant	\$18,388,111.00
Intra-Account Transfer	\$1,252,581,962.96
From Other States-Interstate Benefits CWC	\$3,403,250.39
FECA Advances/Reimbursements-UCX	\$725,989.38
Reimbursable-Local Govt. & Other Pol. Subdivisions	\$3,869,321.76
Reimbursable-State Govt., State Hospitals, and Higher Education	\$1,805,044.61
Reimbursable-Nonprofit Organizations	\$8,795,153.27
Federal Share Extended Benefits	\$(36,166.85)
Federal Emergency Compensation/EUC08	\$(8,33,665.66)
Federal Emergency Compensation/PEUC	\$22,403,398.10
Federal Emergency Compensation/FAC	\$(66,621.19)
Federal Pandemic Unemployment Compensation	\$2,219,091,926.49
Pandemic Unemployment Assistance	\$100,539,221.97
FECA Advances/Reimbursements-UCFE	\$1,016,902.97
Other - Reimbursement of Waiting Week	\$24,479,119.00
Other - Trust Fund Loans/FUTA Tax Credits	\$15,923.00
Other - Returned EUC/FSC Rest.	(\$4,029.98)
<b>Total Receipts</b>	<b>\$4,015,283,097.66</b>

(Continued on next page)

## Unemployment Compensation Fund (continued)

### Disbursements

Net UI Benefits	\$803,614,448.75
Net Reimbursable Benefit Payments-Local Govt. and Other Pol. Subdivisions	\$3,951,519.36
Net Reimbursable Benefit Payments-State Govt., State Hospitals, and Higher Education	\$1,823,679.05
Net Reimbursable Benefit Payments-NonProfit Organizations	\$8,890,751.92
FECA Net Benefit Payments-UCX	\$841,100.71
Net Federal Benefits-Federal Share (Extended)	\$(133,899.48)
EUC 08 Activity	\$(2,548,148.45)
PEUC Activity	\$20,327,748.16
TEUC Activity	\$(12,742.15)
Federal Emergency Compensation-FAC	\$(180,591.00)
Federal Pandemic Unemployment Compensation	\$2,140,440,337.15
Pandemic Unemployment Assistance	\$114,051,430.64
Other Temporary Federal Compensation/Waiting Week	\$24,479,119.00
To Other States-Interstate Benefits CWC	\$20,639,034.80
Title IX (Admin) or Special Legislation/Emergency Admin Grant	\$2,219,047.04
To Special Funds (Explain) Penalty/Interest	\$4,019,346.55
FECA Net Benefit Payments-UCFE	\$1,757,664.04
Intra-Account Transfers	\$1,252,581,962.96
Other (Explain) First Payments EB/Loan Repayment	\$3,943.24
<b>Total Disbursements</b>	<b>\$4,396,765,823.93</b>

<b>Balance on Hand - June 30, 2020</b>	<b>\$664,429,365.90</b>
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### Cash Balance - June 30, 2020

#### Clearing Account

Central Bank, Jefferson City, MO	\$74,607.72
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#### Benefit Account

Central Bank, Jefferson City, MO	\$12,090,938.00
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#### Trust Fund Account

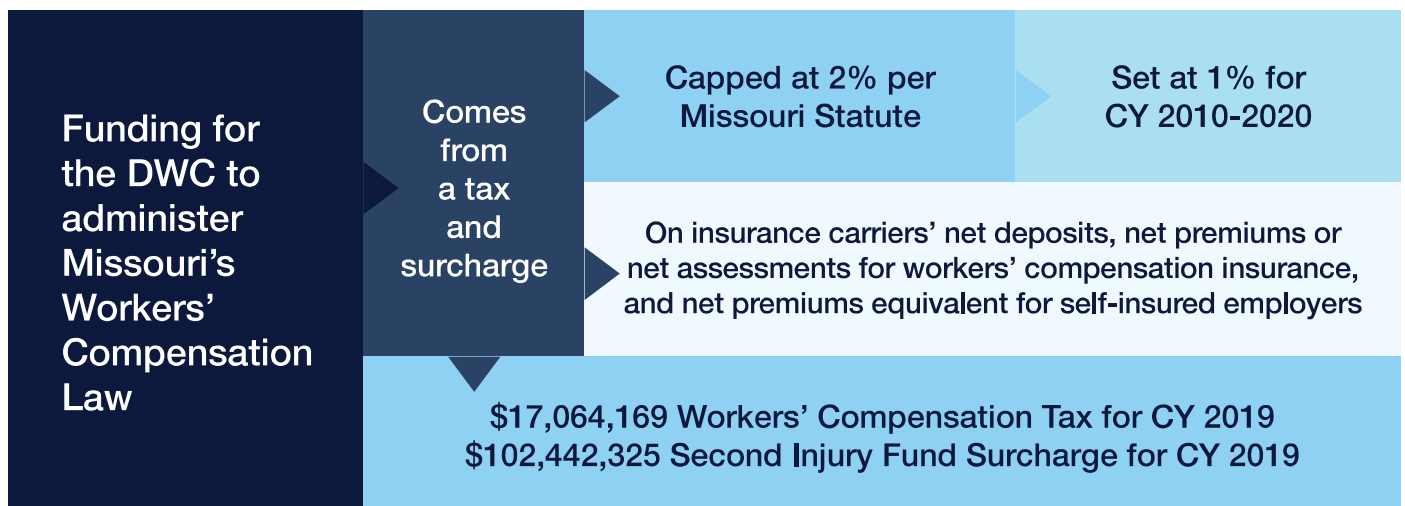
U.S. Treasury	\$652,333,820.18
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# DIVISION OF WORKERS' COMPENSATION

COLLEEN JOERN VETTER,  
DIVISION DIRECTOR

The Missouri Division of Workers' Compensation (DWC) administers programs that provide services to all stakeholders including workers who were injured on the job or were exposed to occupational diseases arising out of and in the course of employment. The DWC ensures injured workers receive benefits they are entitled to under the Missouri Workers' Compensation Law.



## Workplace Injuries Reported



**86,290 First Report of Injury (FROI) received, but no Claim for Compensation filed**

**8,579 FROI received, and a Claim for Compensation filed**

**1,554 Claims for Compensation filed but no FROI received**

**94,869**  
Total FROIs received

An employer or its insurer must report workplace injuries to the DWC, other than injuries that require immediate first aid and no further medical treatment or lost time from work, within 30 days of knowledge of the injury. Any person who knowingly fails to report the injury as required by law is deemed guilty of a misdemeanor and, on conviction, shall be punished by fine or imprisonment, or both. Employees can file a formal Claim for Compensation to initiate a contested case proceeding in the Workers' Compensation Program.

Employers subject to the Missouri Workers' Compensation Law are required to either purchase workers' compensation insurance coverage through an insurance carrier authorized to insure such liability in the state of Missouri by the Missouri Department of Commerce and Insurance or obtain approval from the DWC to self-insure their workers' compensation liability.

Self-Insurance			
Security Held FY 2018 <sup>2</sup>		\$620,890,435	
Security Held FY 2019 <sup>2</sup>		\$659,756,214	
Security Held FY 2020 <sup>2</sup>		\$659,285,418	
Individual Self-Insurance			
FY	Employers	Employees Covered <sup>1</sup>	Payroll Covered <sup>1</sup>
2017	277	408,792	\$19,365,151,611
2018	273	415,406	\$19,901,171,185
2019	245	412,663	\$20,529,944,545
2020	220	440,703	\$20,872,824,971
Group Trust Self-Insurance			
FY	Employers	Employees Covered <sup>1</sup>	Payroll Covered <sup>1</sup>
2016	2,667	273,261	\$9,327,369,666
2017	2,658	273,363	\$9,638,482,159
2018	2,633	276,271	\$9,841,361,246
2020	2,612	277,294	\$10,228,034,506

<sup>1</sup> - Number valid as of close of prior calendar year

<sup>2</sup> - Excludes security called due to default

Injured workers bear the burden of proving entitlement to benefits under the Workers' Compensation Law. Injured workers also can qualify for benefits from the Second Injury Fund (SIF).

The SIF was created to benefit workers who are handicapped and certain workers with a previous work-related disability. It encourages employment by permitting persons to be employed without exposing employers to any liability for previous disabilities in certain cases.

The SIF is funded by a surcharge on workers' compensation premiums up to a maximum of three percent by law.

A change to the the law in 2014 authorized the imposition of and a supplemental surcharge, not to exceed three percent, on employers' workers' compensation premiums. In addition, the SIF's liability was reduced by eliminating permanent partial disability claims to be filed against the SIF and permanent total claims were limited to certain prior disabilities. Other benefits were also eliminated from the SIF such as second job wage loss and medical and death benefits if the employer fails to insure its workers' compensation liability as required by law.

Second Injury Fund	
Total recipients of PTD* benefits (both ongoing and lump sum)	2,406
Recipients who received ongoing, lifetime PTD* benefits	2,103
Total PTD* benefits paid	\$72,346,941,,56
Total recipients of PPD** benefits (both ongoing and lump sum)	657
Total PPD** benefits paid	\$3,996,104.39
Total recipients of Rehab benefits (both ongoing and lump sum)	3
Total Rehab benefits paid	\$1,360.00
Total recipients of Uninsured Medical benefits (both ongoing and lump sum)	12
Total Uninsured Medical benefits paid	\$222,277.42
Total recipients of Uninsured Death benefits (both ongoing and lump sum)	8
Total Uninsured Death benefits paid	\$142,875.78
Total recipients of Lost Wages benefits (both ongoing and lump sum)	7
Total Lost Wages benefits paid	\$47,926.83

\*Permanent Total Disability

\*\*Permanent Partial Disability

Most workers' compensation cases are resolved through a settlement between the parties and without proceeding to a hearing. A hearing can be costly and time consuming. For cases not resolved by compromise settlement, the DWC's Administrative Law Judges conduct hearings and make determinations on what, if any, benefits are owed to the injured worker.



**19,013**    **Compromise settlements approved\***  
**8,376**    **Claims dismissed\***  
**1,074**    **Hearings**

\*(INS, SIF and MFD)

The DWC's Fraud and Noncompliance Unit investigates all allegations of fraud and noncompliance under Chapter 287 of the Missouri Revised Statutes. Employers who are subject to the law and knowingly fail to insure their workers' compensation liability are committing a criminal offense that can lead to fines and prison time.

Under § 287.128.3(6), RSMo, fraud includes to "Knowingly make or cause to be made any false or fraudulent material statement or material representation for the purpose of obtaining or denying any benefit."

**339 Fraud and noncompliance cases investigated**

**63 Fraud and noncompliance cases referred to the Missouri Attorney General's Office for prosecution**

**630 Workers potentially impacted by failure of employer to insure, from the referred cases**

**\$355,111 In penalties recovered from the referred cases to the Attorney General's Office\*\***

\*\*Penalties recovered include those from cases referred, or penalties from, previous fiscal years. Some cases take longer than a year to reach a resolution and many penalties are paid in monthly installments over several years.

## Administrative Law Judges

Ryan Asbridge  
Karla Boresi  
Maureen Byrne  
Kenneth Cain  
Joseph Denigan  
Kevin Elmer  
Bruce Farmer  
Hannelore Fischer  
Karen Fisher  
Suzette Flowers  
Emily Fowler  
Kathleen Hart  
Angela Heffner  
Joseph Keaveny  
Edwin Kohner  
Margaret Landolt  
Victorine Mahon  
John Ottenad  
Lisa Pottenger  
Melodie Powell  
Lawrence Rebman  
Lee Schaefer  
Mark Siedlik  
Carl Strange  
Marvin Teer  
Kevin Thomas  
Jason Tilley  
Amy Young

As of 10-22-20

## Accidents and Diseases by Severity\*

Industry	Fatalities <sup>1</sup>	Lost Time <sup>2</sup>	Medical <sup>3</sup>	Unknown or Incident Only <sup>4</sup>	Total
Accommodation and Food Services	5	335	799	3,807	4,946
Administrative and Support and Waste Management and Remediation Services	7	371	591	2,341	3,310
Agriculture, Forestry, Fishing and Hunting	2	77	131	594	804
Arts, Entertainment and Recreation	3	102	327	985	1,417
Construction	15	631	745	2,868	4,259
Educational Services	1	426	1,373	5,332	7,132
Finance and Insurance	1	76	178	1,401	1,656
Health Care and Social Assistance	9	1,329	2,798	16,353	20,489
Information	1	98	121	540	760
Management of Companies and Enterprises	0	13	20	86	119
Manufacturing	17	1,133	2,368	9,384	12,902
Mining	0	14	16	78	108
Employer Industry Unknown	1	32	16	491	540
Other Services (Except Public Administration)	2	191	357	1,389	1,939
Professional, Scientific and Technical Services	3	133	366	1,658	2,160
Public Administration	9	1,402	1,460	6,597	9,468
Real Estate and Rental and Leasing	2	103	140	798	1,043
Retail Trade	12	940	1,631	8,067	10,650
Transportation and Warehousing	12	1,062	765	3,777	5,616
Utilities	0	87	141	405	633
Wholesale Trade	6	355	517	2,334	3,212
<b>Total</b>	<b>108</b>	<b>8,910</b>	<b>14,860</b>	<b>69,285</b>	<b>93,163</b>

\*Workers' Compensation cases develop over time. The counts disclosed are based on information as of 10-22-20 and are likely not reflective of the final counts and dollar amounts for the Fiscal Year, because the cases have not fully developed.

1 - Deaths reported as of October 2020. Death may later be determined not to be a compensable-work related injury.

2 - Cases where Temporary Total Disability (TTD) or Temporary Partial Disability (TPD) benefits were reported paid.

3 - Cases where no TTD or TPD benefits were reported but medical costs were reported.

4 - Cases where no payment information has been received. Includes incident only cases reported to the DWC as a precautionary measure.



## Cost by Industry and Type of Benefit\*

Industry	Temporary Benefits	Permanent Benefits	Death Benefits	Medical Benefits	Total Benefits
Accommodation and Food Services	\$605,279.21	\$1,017,101.04	\$0.00	\$4,609,456.93	\$6,231,837.18
Administrative and Support and Waste Management and Remediation Services	\$945,605.93	\$1,625,836.46	\$1,394.20	\$5,252,235.02	\$7,825,071.61
Agriculture, Forestry, Fishing and Hunting	\$160,928.96	\$382,462.86	\$0.00	\$1,372,065.80	\$1,915,457.62
Arts, Entertainment and Recreation	\$492,011.74	\$360,403.01	\$5,000.00	\$2,512,320.45	\$3,369,735.20
Construction	\$3987,610.19	\$4,865,032.87	\$0.00	\$16,249,267.18	\$25,101,910.24
Educational Services	\$1,068,029.14	\$1,966,359.61	\$0.00	\$9,246,566.95	\$12,280,955.70
Finance and Insurance	\$308,682.48	\$334,400.09	\$0.00	\$1,510,362.72	\$2,153,445.29
Health Care and Social Assistance	\$2,870,518.80	\$3,445,793.39	\$0.00	\$14,631,917.51	\$20,948,229.70
Information	\$404,350.28	\$478,839.48	\$0.00	\$1,257,711.86	\$2,140,901.62
Management of Companies and Enterprises	\$136,685.34	\$60,047.70	\$0.00	\$202,047.81	\$398,780.85
Manufacturing	\$3,954,347.74	\$6,477,521.87	\$0.00	\$26,502,457.25	\$36,934,326.86
Mining	\$80,823.35	\$153,763.01	\$0.00	\$468,360.70	\$702,947.06
Employer Industry Unknown	\$154,090.03	\$621,375.19	\$0.00	\$569,051.80	\$1,344,517.02
Other Services (Except Public Administration)	\$734,210.51	\$787,967.71	\$0.00	\$3,731,084.57	\$5,253,262.79
Professional, Scientific and Technical Services	\$566,195.59	\$430,216.60	\$0.00	\$2,715,054.63	\$3,711,466.82
Public Administration	\$3,550,572.07	\$4,492,730.80	\$0.00	\$17,128,787.14	\$25,172,090.01
Real Estate and Rental and Leasing	\$306,187.79	\$475,721.33	\$5,000.00	\$2,294,558.91	\$3,135,468.03
Retail Trade	\$2,437,569.49	\$2,846,253.06	\$26,000.00	\$16,902,825.56	\$22,212,648.11
Transportation and Warehousing	\$4,466,005.28	\$3,840,163.83	\$5,000.00	\$12,643,196.81	\$20,954,365.92
Utilities	\$427,762.26	\$428,412.72	\$0.00	\$2,184,929.74	\$3,041,104.72
Wholesale Trade	\$1,443,767.20	\$1,634,566.32	\$0.00	\$7,499,885.36	\$10,578,218.88
<b>Total</b>	<b>\$29,155,233.38</b>	<b>\$36,724,968.95</b>	<b>\$42,394.20</b>	<b>\$149,484,144.70</b>	<b>\$215,406,741.23</b>

\* Workers' Compensation cases develop over time. The dollar amounts disclosed are based on information as of 10-22-2020 and are likely not reflective of the final dollar amounts for the Fiscal Year, because the cases have not fully developed.

## Cost by Type of Disability of All Incidences\*

Type	Fiscal Year	Number of Incidences <sup>1</sup>	Non Medical Compensation <sup>2</sup>	Medical Compensation	Total
<b>Accidental<sup>3</sup></b>					
Temporary <sup>4</sup>	2017	46,490	\$15,435,878.48	\$128,156,277.32	\$143,592,155.80
	2018	46,627	\$20,267,947.55	\$149,166,447.40	\$169,434,394.95
	2019	46,543	\$23,351,518.64	\$182,218,177.74	\$208,569,696.38
	2020	19,975	\$21,184,632.93	\$99,697,843.88	\$120,882,476.81
Permanent <sup>5</sup>	2017	15,613	\$305,584,162.63	\$336,397,625.53	\$641,981,788.16
	2018	14,532	\$259,588,984.92	\$299,386,283.24	\$558,975,268.16
	2019	10,850	\$170,020,574.07	\$208,345,594.37	\$378,366,168.44
	2020	3,541	\$42,792,706.90	\$47,645,737.29	\$90,438,444.19
Death <sup>6</sup>	2017	106	\$2,478,382.99	\$1,144,819.21	\$3,623,202.20
	2018	89	\$1,565,582.23	\$1,125,937.33	\$2,691,519.56
	2019	83	\$2,403,644.56	\$2,786,913.00	\$5,190,557.56
	2020	103	\$50,554.46	\$96,425.82	\$146,980.28
<b>Total</b>	<b>2017</b>	<b>62,209</b>	<b>\$323,498,424.10</b>	<b>\$465,698,722.06</b>	<b>\$789,197,146.16</b>
	<b>2018</b>	<b>61,248</b>	<b>\$281,422,514.70</b>	<b>\$449,678,667.97</b>	<b>\$731,101,182.67</b>
	<b>2019</b>	<b>57,476</b>	<b>\$195,775,737.27</b>	<b>\$396,350,685.11</b>	<b>\$592,126,422.38</b>
	<b>2020</b>	<b>23,619</b>	<b>\$64,027,894.29</b>	<b>\$147,440,006.99</b>	<b>\$211,467,901.28</b>
<b>Occupational</b>					
Temporary	2017	1,650	\$266,022.42	\$1,597,295.73	\$1,863,318.15
	2018	1,540	\$251,805.51	\$1,801,608.58	\$2,053,414.09
	2019	1,344	\$465,530.88	\$2,468,352.36	\$2,933,883.24
	2020	581	\$513,583.84	\$1,300,648.08	\$1,814,231.92
Permanent	2017	670	\$17,536,858.86	\$6,668,867.97	\$24,205,726.83
	2018	526	\$10,597,008.11	\$5,381,174.13	\$15,978,182.24
	2019	360	\$7,145,953.38	\$3,640,040.54	\$10,785,993.92
	2020	79	\$1,381,118.40	\$743,489.63	\$2,124,608.03

(Continued on next page)

Occupational (continued)					
Type	Fiscal Year	Number of Incidences	Non Medical Compensation <sup>2</sup>	Medical Compensation	Total
Death	2017	29	\$1,050,000.00	\$0	\$1,050,000.00
	2018	21	\$1,858,303.35	\$225,833.66	\$2,084,137.01
	2019	20	\$504,935.50	\$2,680.90	\$507,616.40
	2020	5	\$0.00	\$0.00	\$0.00
<b>Total</b>	<b>2017</b>	<b>2,349</b>	<b>\$18,852,881.28</b>	<b>\$8,266,163.70</b>	<b>\$27,119,044.98</b>
	<b>2018</b>	<b>2,087</b>	<b>\$12,707,116.97</b>	<b>\$7,408,616.37</b>	<b>\$20,115,733.34</b>
	<b>2019</b>	<b>1,724</b>	<b>\$8,116,419.76</b>	<b>\$6,111,073.80</b>	<b>\$14,227,493.56</b>
	<b>2020</b>	<b>665</b>	<b>\$1,894,702.24</b>	<b>\$2,044,137.71</b>	<b>\$3,938,839.95</b>
<b>Disability type not determined due to lack of reported compensation</b>	2017	38,828	\$0	\$0	\$0
	2018	40,078	\$0	\$0	\$0
	2019	42,936	\$0	\$0	\$0
	2020	68,879	\$0	\$75,677.96	\$75,677.96
<b>Total</b>	<b>2017</b>	<b>103,386</b>	<b>\$342,351,305.38</b>	<b>\$473,964,885.76</b>	<b>\$816,316,191.14</b>
	<b>2018</b>	<b>103,413</b>	<b>\$294,129,631.67</b>	<b>\$457,087,284.34</b>	<b>\$751,216,916.01</b>
	<b>2019</b>	<b>102,136</b>	<b>\$203,892,157.03</b>	<b>\$402,461,758.91</b>	<b>\$606,353,915.94</b>
	<b>2020</b>	<b>93,163</b>	<b>\$65,922,596.53</b>	<b>\$149,484,144.70</b>	<b>\$215,406,741.23</b>

\* Workers' Compensation cases develop over time. The counts and amounts are based on information as of 10-10-2020. The more recent the year, the less reflective the counts and amounts are of what the final counts and dollar amounts will be once the cases have fully developed.

1 - Based on date of injury.

2 - Includes any compensation paid other than medical (TTD, TPD, TTSalary, PPD, PTB, Death, Burial)

3 - Defined as any injury reported with a nature code other than those classified as "Occupational Disease or Cumulative Injury" by WCIO standards.

4 - Defined as any nonfatal injury with reported TTD, TPD, TT Salary, or medical compensation.

5 - Defined as any nonfatal injury with reported PPD or PTB compensation.

6 - Deaths reported. Death may later be determined not to be a compensable work-related injury.



# DIVISION OF LABOR STANDARDS

TAYLOR BURKS,  
DIVISION DIRECTOR

The Division of Labor Standards (DLS) and its sections help employers comply with Missouri labor laws and handle complaints from workers to ensure all Missourians are safe on the job and paid wages required by law.

The DLS consists of five sections: Wage and Hour, On-Site Safety and Health Consultation Program, Mine and Cave Safety, Workers' Safety Program and Research and Analysis. The DLS determines and enforces Missouri's Child Labor Law and Minimum Wage Law. The DLS offers a free consultation service to employers to reduce workplace fatalities and help businesses comply with federal Occupational Safety and Health Administration (OSHA) regulations. Mine and cave inspections are also provided along with training to miners on safe work practices.

## Wage and Hour Section

The Wage and Hour section administers the Child Labor, Minimum Wage, and Prevailing Wage Laws for the state of Missouri. Its primary responsibility is assuring child safety, resolving pay disputes, and providing information to the public. The DLS continues to provide outreach programs to help Missouri businesses comply with wage and hour laws.

### Youth Employment

The Missouri Child Labor Law ensures no child under 16 years of age is employed in an occupation or in a manner that is hazardous or detrimental to the child's safety, health, morals, educational processes, or general well-being.

**812**

Entertainment  
permits  
issued

**4,934**

Work  
certificates  
reviewed

**3,352**

Public and  
private  
contacts

**13**

Complaints  
reviewed

## Minimum Wage

The Minimum Wage Program responds to inquiries from employers and workers about their responsibilities and rights under Missouri wage and hour laws. It also provides educational outreach to businesses and mediates pay disagreements under the Minimum Wage Law.

## Prevailing Wage

The Prevailing Wage Program is responsible for setting the wage rate on public works construction projects with wage surveys collected from contractors.

## Mine and Cave Safety

The Mine and Cave Safety Program improves the safety of Missouri mines and caves by offering training to miners, mine owners, mine operators, and contractors. Chapter 293 of the Missouri Revised Statutes requires each mine and public cave in Missouri to be inspected on an annual or bi-annual basis for hazards and unsafe or unhealthy work practices. Missouri has received federal funding to provide required training to miners since 1979.

### Inspections Required Per Year



One mining fatality occurred in Missouri mines in 2020.

On average, two fatalities occur per year in Missouri's mining industry.

The last recorded fatality from an operator that received training from this program was in 2015.

## Mo Safe@Work

In 2020 the DLS spearheaded an outreach campaign to promote youth safety in the workplace. The Division's safety professionals and child labor specialists together provided outreach and education to employers of youth and schools to ensure compliance with the Missouri Child Labor Law and also to protect young Missourians from workplace injuries. This initiative also educated youth workers about their labor rights and basic safe work practices to ensure safe and healthy workplaces for the future workforce.  
[labor.mo.gov/safe-at-work](http://labor.mo.gov/safe-at-work)

## Research & Analysis

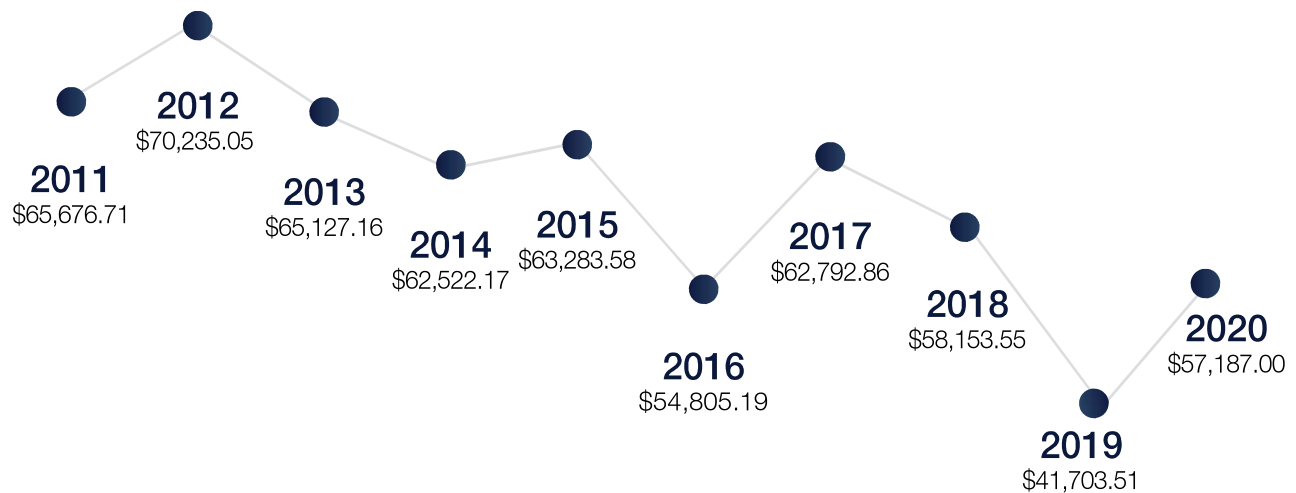
The DLS' Research and Analysis section collects and reports Missouri employment statistics, workplace injuries, and fatalities to the United State Bureau of Labor Statistics (BLS). Jointly funded by BLS and the state of Missouri, the section collects statistical data on Missouri nonfatal occupational injuries and illnesses from the annual Survey of Occupational Injuries and Illnesses, solicited from a random sample of Missouri employers each year.

The program experienced a 3.5 percent increase in training to contractors over the past three years. The program continues to focus on small operators that are unable to take advantage of the resources larger operators receive, as well as providing training resources for contractors and other stakeholders. Currently, two full-time mine training specialists provide the required Mine Safety and Health training. According to the Missouri Department of Natural Resources, mining is an approximately \$3 billion industry in the state of Missouri.

<b>2,081</b>	<b>Miners trained</b>
<b>209</b>	<b>Total inspections</b>
<b>442</b>	<b>Hazards found and eliminated</b>
<b>9,655</b>	<b>Miners and contractors affected</b>
<b>\$1,059,240</b>	<b>Federal fines avoided by Missouri mine operators</b>

10 Year Production in Tons									
Year	Clay	Coal	Copper	Iron	Lead	Zinc	Granite	Shale	Silica
2011	1,736,957.68	455,713.73	17,695	25	250,911	57,250	1,108,165.49	264,190.07	1,419,175.41
2012	1,912,067.44	460,918.67	28,240	18,926.95	260,150	53,187	1,162,022.20	301,162.06	1,861,986.66
2013	1,728,676.48	402,486.45	27,902	15,614	262,028	53,717	1,025,649.45	301,162.06	1,538,325.69
2014	1,743,699.71	383,705.75	22,693	13,348.91	264,214	61,294	1,027,504.43	305,264.82	1,159,259.30
2015	1,709,539.51	269,701.78	29,759	7,533	262,115	54,236	1,027,342.48	313,214.88	1,200,739.94
2016	1,735,977.45	99,232.85	21,605	0	172,748	34,294	1,053,681.69	252,048.19	718,810.22
2017	1,810,909.24	245,713.53	27,765	0	185,171	33,498	1,198,199.09	194,104.67	2,068,906.61
2018	1,674,304.18	251,938.73	25,936	0	168,039	35,548	934,778.43	434,509.25	3,630,402.29
2019	1,609,550.26	170,105.00	17,486	0	180,018	35,467	990,169.39	113,907.38	2,917,614.00
2020	1,871,581.52	172,369.00	18,512	0	187,048	33,032	842,983.88	419,338.00	3,967,677.46

## 10 Year Tonnage Fee Collection<sup>1</sup>



<sup>1</sup> - Tonnage fees from 2017-2019 have dropped in part due to a shift away from the use of granite to rhyolite which is not taxed.

## Workers' Safety Program

The Missouri Workers' Safety Program helps employers improve workplace safety and reduce workers' compensation insurance costs. The program helps to regulate safety services provided by insurance carriers, maintains a list of certified safety consultants and engineers that offer independent services, and offers free safety and health consultants.

**165**

Physical rehabilitation facilities  
where injured workers can  
rehabilitate and receive SIF  
Rehab benefits were certified

**266**

Individuals  
certified as safety  
consultants/safety  
engineers

**126**

Workers' compensation  
insurance carrier  
groups' safety programs  
certified

## On-Site Safety and Health Consultation Program

The On-Site Safety and Health Consultation Program strives to reduce work-related injuries, illnesses and fatalities by educating and training employers and employees in workplace safety and health issues. The program provides consultations at no cost to Missouri businesses. At the request of the employer, the consultants identify safety and health hazards and offer recommendations for correction with no penalties or fines.



**492**

On-Site consultations  
conducted



**2,511**

Hazards  
identified



**44%**

of hazards were  
corrected on location



**\$8.7 M**

Potential OSHA  
penalties avoided

## Safety and Health Achievement Recognition Program (SHARP)

The Missouri On-Site Safety and Health Consultation Program, in conjunction with OSHA, administers the SHARP program. It rewards small businesses that operate exceptional health and safety programs. Participation is offered to businesses that worked with the On-Site consultants, implemented safety programs, and significantly reduced workplace injury and illness rates.

**Wunderlich Fibre Box Comany and ABEC, Inc.  
achieved SHARP status in 2020.**

**Thirty-three companies are currently participating in SHARP.**





# MISSOURI COMMISSION ON HUMAN RIGHTS

DR. ALISA WARREN,  
EXECUTIVE DIRECTOR

The mission of the Missouri Commission on Human Rights (MCHR) is to prevent and eliminate discrimination and to provide equitable and timely resolutions to discrimination complaints. The MCHR also provides training and education about rights and responsibilities under the Missouri Human Rights Act.

The Missouri Human Rights Act authorizes the MCHR to receive and investigate complaints of discrimination and, where probable cause is found, to litigate those cases at public hearings. The statute empowers the MCHR to certify local commissions and grant them enforcement power, enter into work sharing agreements with federal and local human rights agencies, and develop ways to prevent discrimination.



**1,105  
Complaints  
filed**



**1,386  
Complaints  
resolved by  
MCHR staff**



**\$2,496,335  
Negotiated  
in  
settlements**



**14 Local  
human rights  
agencies in  
Missouri**



**Nearly 6,045  
people attended  
education,  
training, and  
outreach events**

During the MCHR's 62 years of working toward eradicating discrimination, the agency has provided immeasurable services. The MCHR has four offices which provide access to and delivery of its services. The MCHR continues to receive among the largest number of complaints in the Midwestern region of alleged discrimination in employment, public accommodations, and housing.



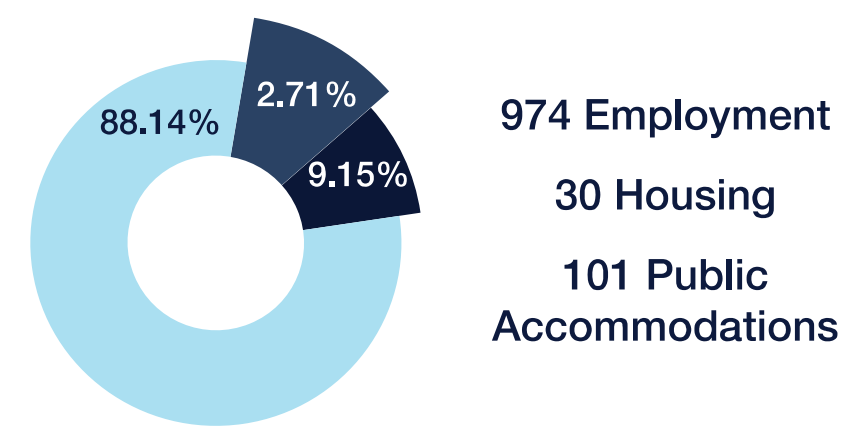
a. Jefferson City  
(Central Office)  
b. Kansas City  
c. St. Louis  
d. Sikeston



The MCHR has jurisdiction over complaints of discrimination in housing, employment, and places of public accommodations based on race, color, religion, national origin, ancestry, sex, disability, age (in employment only), and familial status (in housing only).

The MCHR has established work-sharing agreements with the Equal Employment Opportunity Commission (EEOC) and local human rights agencies, increasing efficiency and eliminating duplication.

## Complaints Filed by Type



Complaints Received in Each Protected Category	
Age	274
Ancestry/National Origin	58
Disability	433
Race	334
Religion	30
Family Status	7
Retaliation	702
Sex	468
Sexual Harassment	154
Unknown/Other	93
Total	1,105

Totals do not match total number of cases received because many cases allege multiple allegations and categories.

## Commissioners

Commissioners are appointed by the Governor with the advice and consent of the Senate. The Governor appoints one member from each of Missouri’s eight Congressional Districts, two members at large, and one member as chairperson. The Commissioners serve for six years without compensation. The Commission meets quarterly, and its meetings are open to the public.

- Anna E. Crosslin**  
Commissioner, 1st District  
Vacant
- Commissioner, 2nd District**  
**Jonathan Hayashi**  
Commissioner, 3rd District  
Vacant
- Commissioner, 4th District**  
**Donna L. Birks**  
Commissioner, 5th District  
**Dr. Melody A. Smith**  
Commissioner, 6th District  
**Jenifer Plazcek**  
Commissioner, 7th District  
Vacant
- Commissioner, 8th District**  
**Jade Jump**  
Commissioner, At-Large  
Vacant
- Commissioner, At-Large**  
**Martha Staggs**  
Commission Chair, At-Large

## Martin Luther King, Jr. State Celebration Commission

The Dr. Martin Luther King, Jr. Celebration Commission considers and recommends to individuals and organizations appropriate activities for the recognition and celebration of Martin Luther King, Jr. Day in Missouri.

## Hearings, Appeals, and Significant Decisions Regarding the Missouri Human Rights Act

Two cases were set for hearing and are still pending before the Administrative Hearing Commission. Several significant decisions were made or pending in court and are summarized below.

**Stephanie Dalton v. MCHR and Alisa Warren, Executive Director.**

This case is currently before the Western District of the Missouri Court of Appeals. It involves the question of whether MCHR can take action based solely on the investigation by the EEOC or whether MCHR must also investigate. The case also involves several procedural issues.

**Li Lin v. Matthew J. Ellis and Washington University in St. Louis**

Li Lin worked for Washington University and had herniated discs that grew worse over time. She requested several reasonable accommodations and they were granted. She was later terminated and alleged in a complaint to MCHR that she was fired in retaliation for requesting reasonable accommodations for her disability. She got a right to sue letter from MCHR and sued. She prevailed at the circuit court and Washington University appealed. The case went up to the Supreme Court of Missouri. They decided in favor of Washington University holding that requesting a reasonable accommodation was not an activity that was protected from retaliation by the Missouri Human Rights Act.

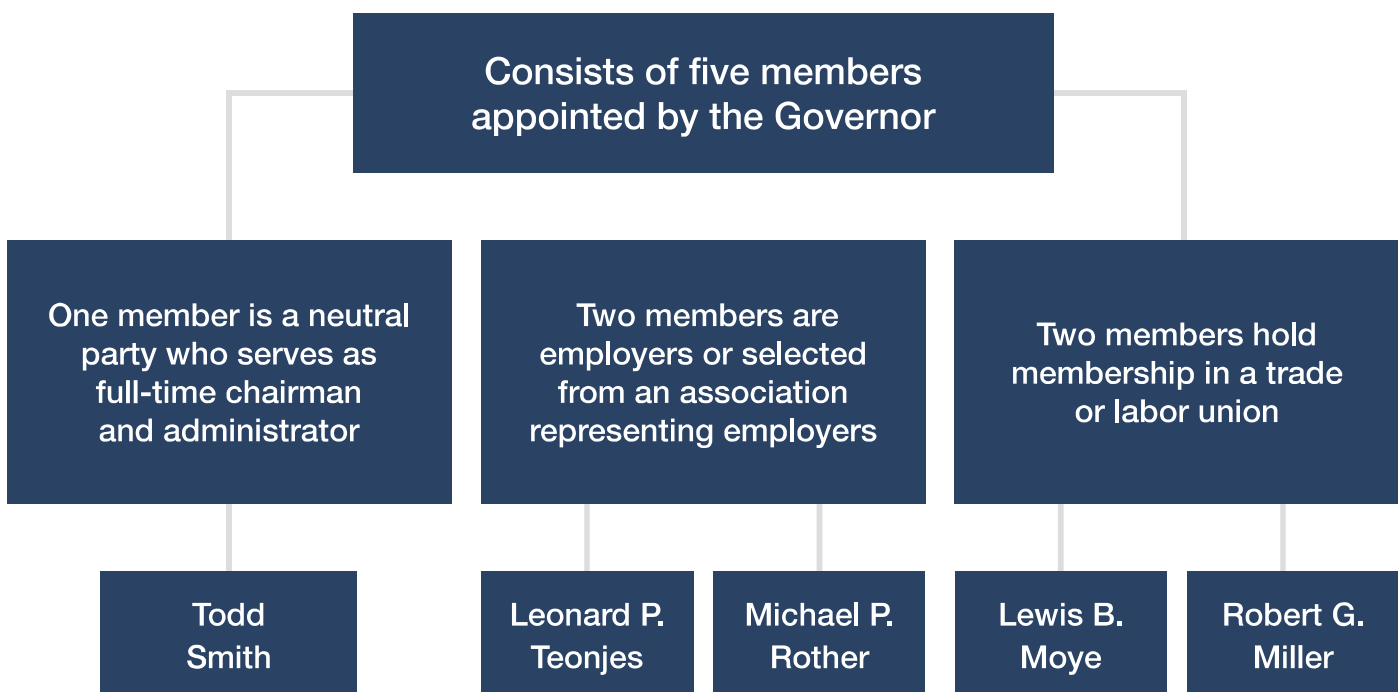
Case Dispositions				
Investigations	Employment	Public Accommodations	Housing	Total
Administrative Closure	12	0	1	13
Failure to Cooperate	7	2	0	9
Negotiated Settlement	10	3	2	15
No Jurisdiction	62	6	1	69
No Violation	318	42	4	364
Probable Cause	0	0	0	0
Right to Sue	649	39	2	690
Unable to Locate	4	0	0	4
Withdrawal	98	16	3	117
Withdrawal/Settled	90	13	2	105
<b>Total</b>	<b>1,250</b>	<b>121</b>	<b>15</b>	<b>1,386</b>



# STATE BOARD OF MEDIATION

TODD SMITH,  
CHAIR

The State Board of Mediation's (SBM) duties include defining appropriate bargaining units of public employees, certification and recertification of bargaining units, determination of majority representation status by secret ballot elections, and oversight of annual financial reporting by public employee unions and officials. A temporary injunction went into effect March 7, 2019, blocking the SBM from implementing any of the changes from HB 1413 (2018).



If a public employer and a petitioning labor organization cannot agree on which employees should be included in an appropriate bargaining unit, or on the manner of conducting the election, the SBM will hold a formal hearing at which the parties may present evidence and legal arguments in support of their positions on the disputed questions. After considering the evidence and legal arguments, the board issues a written decision resolving the disputes.

If a majority of the members of a bargaining unit vote for the labor organization in a board-conducted election, the SBM certifies it as the exclusive bargaining representative for all the unit members for the purposes of collective bargaining. The labor organization will then negotiate with the public employer of the unit members over salaries and other conditions of employment with the goal of reaching a written agreement governing these matters. The labor organization will also represent all unit members with regard to individual employment issues that may arise, such as disciplinary charges.

The SBM's jurisdiction under the Public Sector Labor Law, RSMo 105.500 - 105.598, to determine appropriate bargaining units and to certify exclusive bargaining representatives, extends to almost all public employees, including those employed by the state and its agencies, counties, cities, and school districts. In an effort to make the SBM more responsive and accessible to citizens, during this past year the SBM began accepting petitions of Certification for Representation, Decertification and amended petitions online. Applicants can now answer a few simple questions and submit the required forms directly to the SBM along with an electronic signature. Once the petitions are submitted online, applicants receive an automatic notification with a case number and copy of the completed petition, saving time for both the applicant and staff. Significant new duties were assigned to the SBM in 2018 (HB 1413). New responsibilities include collection and publication of labor organizations' annual financial reports, labor officials personal financial disclosures, and recertification of all bargaining units every three years. For more information about the SBM's implementation of HB 1413 visit [labor.mo.gov/sbm/2018-certification-changes-hb-1413](http://labor.mo.gov/sbm/2018-certification-changes-hb-1413). These changes are on hold and still under judicial review at time of publication.

## FY 2020

<b>Petitions Filed</b>	<b>19</b>
<b>Elections</b>	<b>13</b>
In-Person	1
Electronic Balloting	5
Mail-In Ballot	6
<b>Representation Elections Conducted</b>	<b>12</b>
<b>Recertification Elections Conducted</b>	<b>0</b>
<b>Decertifications</b>	<b>3</b>
<b>Election Appeals</b>	<b>0</b>
<b>Hearings on Disputed Issues</b>	<b>1</b>
<b>Public Employees Affected</b>	<b>693</b>
<b>Unit Clarifications</b>	<b>1</b>
<b>Amendment of Certifications</b>	<b>1</b>
<b>Cases Dismissed/Withdrawn</b>	<b>1</b>
<b>Cases on Hold Due to Injunction</b>	<b>31</b>



# MISSOURI

## Department of Labor & Industrial Relations

2020 Version 2.0



ASPIRATION	We will promote economic vitality, safety, and fairness for Missouri's businesses and workers		
THEMES	Growth Foster a business environment to support economic development	Safety Prevent injuries and save lives on the job	Opportunity Invest in our workforce for today and tomorrow
INITIATIVES	<ul style="list-style-type: none"> <li>• Implement Division of Workers' Compensation Modernized Computer System</li> <li>• Improve Department-wide Customer Experience through Revisions to the Website</li> <li>• Improve Customer Experience through the following:               <ul style="list-style-type: none"> <li>• Implement Outbound Call Feature</li> <li>• Use of a 3<sup>rd</sup> Party Vendor to Assist with Calls, Adjudication, and Appeals</li> <li>• Review Claims Process</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Increase Mine Safety Training to Save Lives and Reduce Injuries in the Mining Industry</li> <li>• Develop a Youth@Work Initiative to Prevent/Reduce Youth Workplace Accidents</li> <li>• Improve Continuity of Operations through Enhancements to the Department's Emergency Planning Process and Related Staff Training</li> </ul>	<ul style="list-style-type: none"> <li>• Identification of Needed Equipment and Establishment of Clear Staff Expectations for Remote Work</li> <li>• Increase Staff Awareness through Improved Internal Communications</li> <li>• Improve Efficiencies through Expansion of Electronic Forms and Processes</li> <li>• Create and execute a program to foster a more inclusive and diverse workforce</li> </ul>







**DEPARTMENT OF LABOR  
& INDUSTRIAL RELATIONS**

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Missouri Department of Labor and Industrial Relations  
is an equal opportunity employer/program.